



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMORANDUM ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 15, 2007

The Honorable Shirley Wohl Kram
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

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OCT 15 2007

**JUDGE S. W. KRAM
CHAMBERS**

Re: United States v. Daryll Jennings,
07 Cr. 958 (SWK), 07 Mag. 1632

Dear Judge Kram:

The defendant in the above-captioned matter was arrested and presented before Magistrate Judge Ronald L. Ellis on October 5, 2007, and released on the following bail conditions: \$100,000 personal recognizance bond, co-signed by three financially responsible persons, including the defendant's mother, and secured by \$1,000 cash/property; travel restricted to the Southern and Eastern Districts of New York; surrender of all travel documents and no new applications; strict pretrial supervision; drug testing and treatment; mental health evaluation; and home detention with electronic monitoring. On October 11, 2007, a Grand Jury sitting in this District returned a two-count Indictment charging the defendant with possession of a firearm after having previously been convicted of a felony and possession of a firearm which had its serial number removed or altered, in violation of 18 U.S.C. §§ 922(g)(1) and 922(k). The case was assigned to Your Honor. Attached please a copy of the Indictment.

Your Deputy has referred arraignment and appointment of counsel to Magistrate Court. In the meantime, the Government plans to begin preparing discovery under Rule 16 of the Federal Rules of Criminal Procedure, and thus respectfully requests that the Court set a control date of October 26, 2007, and exclude time under the Speedy Trial Act until October 26, 2007, because the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8). I have

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spoken with defense counsel, Fiona Doherty of the Federal Defender of New York, Inc., who has no objection to this request.

Respectfully submitted,

MICHAEL J. GARCIA

United States Attorney

By:



Chi T. Steve Kwok

Assistant United States Attorney

Telephone: (212) 637-2415

Application granted. In the interests of justice, time under the Speedy Trial Act is hereby excluded until October 26, 2007, the date of the next control date in this case.

SO ORDERED


JUDGE SHIRLEY WOHL KRAM

U. S. D. J.

Dated:

Oct. 17, 2007

New York, NY